REMARKS

Claims 1-15 are pending in this application. The Examiner rejected the claims as follows. Claims 1-4 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,742,492 (Matthews). Claims 11, 12 and 15 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0111139 (Nishiyama). Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nishiyama over Matthews. It is gratefully acknowledged that the Examiner has objected to Claims 5-10 and 13 as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the respective base claim and any intervening claims.

As an initial matter, the Examiner objected to Claims 11 and 12 because of a minor typographical error. Accordingly, Claims 11 and 12 have been amended to overcome the Examiner's stated objection.

Regarding the rejection of independent Claim 1, the Examiner states that Matthews teaches a control unit for dynamically generating and deleting a plurality of menu planes according to a user's setting, each plane including at least one menu item. After reviewing the cited reference, it is respectfully submitted that the Examiner is incorrect.

More particularly, the Examiner asserts that Matthews teaches dynamically generating a plurality of menu planes according to a user's settings as recited in Claim 1. In the cited passage, Matthews actually teaches transitional effects of a panel-to-panel transition which occurs when a user taps the direction control buttons of the display . In other words, Matthews teaches techniques for rendering these panel transitions and further teaches that these techniques include texture mapping and real-time graphics and animation for open, close and panel transitions which can be pre-rendered or dynamically generated. In other words, Matthews generates a dynamic transition when an animation is required such as when transitioning between panels at the request of a user.

Moreover, regarding the Examiner's assertion that Matthews teaches a control unit for dynamically deleting a plurality of menu planes according to a user's setting, with each plane including at least one menu item, Matthews actually teaches manipulations within the computer which are often referred to as "adding, comparing, moving, etc.", and are often associated with the manual operations performed by a user.

It must be understood that no involvement of a human operator is necessary or even desirable in Matthews. In contrast, Claim 1 recites a control unit for dynamically generating a plurality of menu planes according to a user's setting, which is neither taught nor suggested by Matthews. Nowhere in the cited text or figures is a control unit for dynamically deleting a plurality of menu planes according to a user's setting taught or suggested. Furthermore, there would be no reason for Matthews to teach or suggest

adding or deleting a plurality of menu planes according to a user's setting because, as stated above, Matthews teaches that that no involvement of a human operator is necessary or even desirable.

Accordingly, for at least the above-stated reasons, it is respectfully requested that the rejection under 35 U.S.C. §102(a) of Claim 1 be withdrawn.

Regarding the Examiner's rejection of independent Claim 11, the Examiner states that Nishiyama teaches each and every element of the claim. After reviewing the cited reference, it is respectfully submitted that the Examiner is incorrect.

Nishiyama discloses a data distribution system capable of distributing to a mobile communication terminal information suited for the location (e.g., guide information) that is capable of allowing users to freely access the information. In other words, Nishiyama discloses an information system such as those used in museums which provide information to a user (e.g., a member) based upon the user's location. For example, if a user is standing in a location which is near the Mona Lisa, the system will provide information about the Mona Lisa to the user. Although the Examiner equates the registration slot and the registration of a menu and other elements of Claim 11 with those shown in FIG. 12 of Nishiyama and described in the corresponding text (e.g., paragraph 67), Nishiyama teaches the registration (i.e., the "Member registration," e.g., see paragraph 67) is performed so that a user can obtain benefits and information based the

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user's physical location which is distributed to the user when the user is in a given location (e.g., see FIGs. 4, 7, 8, 12, 13 and 16). In other words, Nishiyama discloses registering a member using a menu so that the member can obtain member benefits.

In contrast, Claim 11 includes recites when a menu is registered by a user, a first menu plane is generated including at least one menu registration slot associated with the registered menu and registering the menu to a menu registration slot of the generated menu plane, which is neither taught or suggested by Nishiyama. Accordingly, for at least the above-stated arguments, it is respectfully requested that the rejection under 35 U.S.C. §102(a) of Claim 11 be withdrawn.

Claims 2-10 and 12-15 are dependent claims; accordingly, if the above amendments and arguments place the independent claims into condition for allowance, then these dependent claims will also be in condition for allowance.

Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact

Applicant's attorney at the number given below.

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Respectfully submitted,

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